

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALEX GARDEN,

Defendant.

4:14CR3072

ORDER

The defendant has failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3143 (a) that defendant will appear at court proceedings and will not pose a danger to the safety of any person or the community if released. The Court's findings are based on the evidence presented in court and contained in the court's records, including defendant's failure to comply with conditions of pretrial release—including maintaining and posting materials to his Facebook account in violation of the conditions prohibiting his access to the internet; and failing to be truthful with his pretrial services officer regarding the violation, thereby posing a substantial risk of noncompliance with conditions of release and an inability to trust and reliably supervise the defendant.

IT IS ORDERED:

- 1) The above-named defendant shall be detained until further order.
- 2) The defendant is committed to the custody of the Attorney General for confinement in a corrections facility; the defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver the defendant to a United States Marshal for appearance in connection with a court proceeding.

May 23, 2016.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge